

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-20 remain in the application. Claims 1-20 have been amended.

In the section entitled "Claim Rejections - 35 USC § 112" on page 2 of the above-identified Office action, claims 11 and 16 have been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

More specifically, the Examiner has stated that the language "braking/catching hook" in claim 11 and the language "the flat sheet material is stored in the path thereof above a storage device to beyond a transfer center line" in claim 16 render the claims indefinite. Appropriate changes have been made.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic and/or clarificatory reasons. The changes are neither provided for overcoming the prior art nor do they

narrow the scope of the claims for any reason related to the statutory requirements for a patent.

In the section entitled "Claim Rejections - 35 USC § 102" on pages 2-4 of the above-mentioned Office action, claims 1 and 18-20 have been rejected as being anticipated by Olivero (European Patent Application Publication No. 0 485 098 A1) under 35 U.S.C. § 102(b); claims 1-4, 13, and 18-20 have been rejected as being anticipated by Dickhoff (US Pat. No. 5,992,842) under 35 U.S.C. § 102(b); claims 1,4, 8, 10, 13, 16, and 18-20 have been rejected as being anticipated by Oda et al. (Japanese Patent Application Publication No. 03-143849) under 35 U.S.C. § 102(b); claims 1,4, 10, 13, and 18-20 have been rejected as being anticipated by Nagayama et al. (Japanese Patent Application Publication No.04-64540) under 35 U.S.C. § 102(b).

The rejections have been noted and claims 1 and 18-20 have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found in Figs. 1-3 and the corresponding part of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 18-20 call for, inter alia:

a transfer region formed above said transfer center line,
one of the copies of the flat sheet material on one of
said paths being passed over at said transfer region to
an other of said paths whereon another of the copies is
conveyed; and

a guiding device accommodated in said wedge-shaped region
for maintaining a separation of the copies. (Emphasis
added.)

Olivero shows a device for joining two sheet streams from channels 30 and 40 into a combined channel 54 (see Fig. 3). In contrast to Olivero, the guiding device (17, 32, 37, 46, 58) according to the invention of the instant application is provided for preventing the sheet (7) on the path (2) from reaching the path (62) of the sheet (20).

Dickhoff shows a device for joining sheets from different cassettes whereby the sheets being transported on different paths are to be joined together. This is clearly contradictory to the invention of the instant application in which the sheets are to be maintained separated by the guiding device.

Oda et al. show a device, for example a splitter for dividing a sheet stream into two different delivery stations 1 and 2.

In contrast, in the invention of the instant application, the sheets are transferred from one transfer element to another transfer element one following another and a guiding device is provided to deflect the following sheet in order to avoid contact between two adjacently transferred sheets (see, for example, page 21, lines 1-17 of the specification of the instant application).

Nagayama et al. show a device in the form of a tongue-shaped splitter for releasing and locking sheet transport paths. The locking of a sheet transport path leads to the leading edge of the sheet potentially impinging upon the tongue and thus being held back. In contrast, in the invention of the instant application, the sheet is transferred from one transfer element to another transfer element by a turning device and a guiding device is provided to deflect the following sheet from its path in order to avoid contact between two adjacently transferred sheets.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 and 18-20. Claims 1 and 18-20 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately

dependent on claim 1, they are believed to be patentable as well.

Applicant acknowledges the Examiner's statement in the section entitled "Allowable Subject Matter" on page 4 of the above-mentioned Office action that claims 5-7, 9, 12, 14-15, and 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Since claim 1 is believed to be patentable as discussed above and claims 5-7, 9, 12, 14-15, and 17 are ultimately dependent on claim 1, they are believed to be patentable in dependent form. A rewrite is therefore believed to be unnecessary at this time.

In view of the foregoing, reconsideration and allowance of claims 1-20 are solicited.

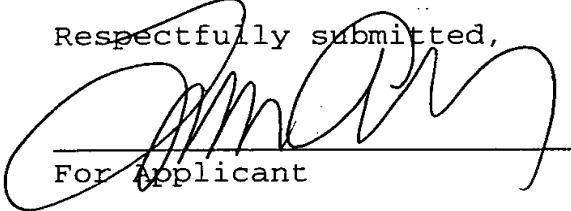
In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which

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might be due with respect to 37 C.F.R. Sections 1.16 and 1.17
to the Deposit Account of Lerner and Greenberg, P.A., No. 12-
1099.

Respectfully submitted,


For Applicant

LAURENCE A. GREENBERG
REG. NO. 29,308

YC

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Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101